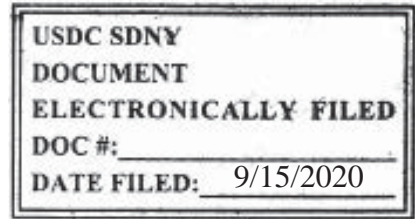


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Global Art Exhibitions, Inc.,

Plaintiff,

—v—

Kuhn & Bulow Italia Versicherungsmakler GmbH, *et al.*,

Defendants.

20-cv-1395 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On September 14, 2020, the Insurer Defendants filed a motion to dismiss. Pursuant to Rule 3.F. of this Court’s Individual Practices in Civil Cases, on or before September 25, 2020, Plaintiff must notify the Court and its adversaries in writing whether (1) it intends to file an amended pleading and when it will do so or (2) it will rely on the pleading being attacked. Plaintiff is on notice that declining to amend its pleadings to timely respond to a fully briefed argument in the September 14 motion to dismiss may constitute a waiver of the Plaintiff’s right to use the amendment process to cure any defects that have been made apparent by Defendants’ briefing. *See Loreley Fin. (Jersey) No. 3 Ltd. v. Wells Fargo Sec., LLC.*, 797 F.3d 160, 190 (2d Cir. 2015) (leaving “unaltered the grounds on which denial of leave to amend has long been held proper, such as undue delay, bad faith, dilatory motive, and futility”).

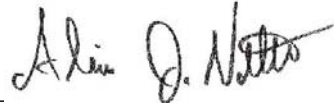
If Plaintiff chooses to amend, Defendants may then (a) file an answer; (b) file a new motion to dismiss; or (c) submit a letter stating that they rely on the initially-filed motion to dismiss.

Nothing in this Order alters the time to amend, answer, or move provided by the Federal Rules of Civil Procedure or Local Rules, or the briefing schedule adopted by the Court in its Order of July 15, 2020.

Plaintiff is further directed to provide a status update by September 25, 2020, regarding its efforts to effect service on process Defendant Kuhn & Bulow Italia Versicherungsmakler GmbH.

SO ORDERED.

Dated: September 15, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", is written over a horizontal line.

ALISON J. NATHAN
United States District Judge